

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 31, 2006

Signature:

(Orville R. Cockings)

Docket No.: REGIM 3.3-040
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mugnier et al.

Application No.: 10/511,565

Confirmation No.: N/A

Filed: October 15, 2004

Art Unit: N/A

For: METHOD FOR PRODUCTION OF A
TUNABLE OPTICAL FILTER

Examiner: Not Yet
Assigned

MS PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
22 AUG 2006
Legal Staff
International Division

RESPONSE TO DECISION

Dear Sir:

In response to the Office Decision mailed June 16, 2006, dismissing applicants' petition under 37 C.F.R. § 1.47(a) without prejudice, applicants respectfully submit for filing in the above-captioned application a declaration executed by co-inventor Rachelle Le Roux.

The enclosed declaration includes three pages: (1) a cover page; (2) a first declaration signature page; and (3) a supplemental declaration signature page. All three pages were presented to Ms. Le Roux when she was asked to execute the declaration. Accordingly, applicants submit the declaration in compliance with 37 C.F.R. 1.497(a) and (b) as it identifies all four inventors and has been provided to all four inventors (in full) for their execution.

In view of the foregoing, applicants respectfully request acceptance of the petition filed September 23, 2005 and examination of this application in the normal course.

If the Office of PCT Legal Administration has any questions concerning this application, it is requested that applicants' attorney be contacted at (908) 654-5000.

Although the Decision indicated that if a response is filed within two (2) months from the mailing date of the Decision no additional petition fee would be due. If any additional fees are required by the present response, the Office is hereby authorized to charge them to Deposit Account No. 12-1095.

Dated: July 31, 2006

Respectfully submitted,

By _____
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